

REMARKS

Claims 1-28 are pending in this application and stand rejected. Claims 1-6, 11-13, 15-19 and 23-28 are finally rejected and Claims 7-10, 14 and 20-22 contain allowable subject matter. It is proposed that Claims 1, 4, 5, 6, 7, 9, 10, 11, 14, 15, 22, 26 and 27 be amended and Claims 2, 3, 8 and 28 be canceled. Entry of this Amendment is respectfully requested since it clearly places the application in condition for allowance and does not raise any new issues requiring further search or consideration. Entry of this Amendment and allowance of this application are respectfully requested.

Applicants respectfully submit that this amendment overcomes the rejections under 35 U.S.C. 112 to Claims 12, 13 and 26. With respect to the 112 rejection of Claims 27 and 28, Applicants respectfully submit that a skilled person in this art could readily ascertain via conventional methods whether a sufficient amount of photoactive material and polymer was present. Applicants respectfully request withdrawal of this rejection.

The rejection of Claims 1-6, 11, 15-19, 23 and 25 under 35 U.S.C. 102(b) as being anticipated by Naito (U.S.P.N. 5,536,588), is respectfully traversed.

The Final Office Action indicated that Claims 7-10, 14 and 20-22 contain allowable subject matter. The limitations of Claims 8, 3 and 2 were added to Claim 1. Applicants, therefore, respectfully submit that Claim 1 and those dependent thereon define patentable subject matter.

The rejection of Claims 23-25 under 35 U.S.C. 102(b) as being anticipated by Shiratsuchi et al. (U.S.P.N. 6,084,176), is respectfully traversed.

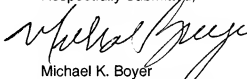
Claims 23-25 reference Claim 1 which is allowable for the reasons given above. Accordingly, Claims 23-25 also define patentable subject matter. Applicants respectfully request withdrawal of this rejection.

The rejection of Claims 12, 13, 27 and 28 under 35 U.S.C. 102(e) as being anticipated by Robeson et al. (U.S.P.N. 6,818,919), is respectfully traversed.

Assuming arguendo that Robeson is available as prior art to reject the instant claims, Claims 12 and 13 are dependent upon Claim 27 which has been amended to recite a photovoltaic device comprising the light harvesting organic materials of Claim 28. As recognized on Page 6, last paragraph of the Office Action such defines allowable subject matter. Applicants, therefore, respectfully submit that Claims 12, 13, 27 and 28 are patentable over the applied reference.

Applicants believe that the pending claims define patentable subject matter and request issuance of a Notice of Allowance. Please find attached hereto a Petition for a One Month Extension of Time. Should there be any other fee due in connection with this Application, please charge the same to Deposit Account No. 01-0493 (Air Products). Should the Examiner deem that any action on the part of Applicants would advance prosecution, the Examiner is invited to telephone Applicants' attorney.

Respectfully Submitted,



Michael K. Boyer
U.S. P.T.O. Reg No 33,085
Attorney for Applicants
Tel: 610 481-3479
Fax: 610 481-7083
Email: boyermk@airproducts.com

Encl.: Petition for a One Month Extension of Time